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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,809	03/30/2004	Mark Hutchison	878.0055.U1(US)	7532
29683	7590	06/28/2006	EXAMINER	
HARRINGTON & SMITH, LLP			LE, NHAN T	
4 RESEARCH DRIVE			ART UNIT	
SHELTON, CT 06484-6212			PAPER NUMBER	
			2618	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

10/813,809

Applicant(s)

HUTCHISON ET AL.

Examiner

Nhan T. Le

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lefort (US 7,019,985).

As to claims 1, 10, Lefort teaches a mobile device, comprising: a body (see fig. 1a, number 10, col. 2, lines 50-67, col. 3, lines 1-5); a display (see fig. 1a, number 6, col. 2, lines 50-67, col. 3, lines 1-5) attached to the body and occupying a display region of the mobile communication device; and a key (see fig. 1a, number 5a, col. 2, lines 50-67, col. 3, lines 1-5) hinged to the body and pivotable about a pivot axis, the key occupying a key region of the mobile communication device for actuation of the key; wherein the key region resides between the display region and the pivot axis (see col. 3, lines 26-42).

As to claim 2, Lefort teaches wherein the part of the key available to a user to actuate is spaced apart radially from the pivot axis (see fig. 1a, numbers 4a, 5a, col. 2, lines 50-67, col. 3, lines 1-5).

As to claims 3, 4, Lefort teaches a resilient biasing member on the side opposing to that of the key in respect to the pivot axis so as to spring back key after actuation by a finger (see col. 4, lines 53-67) and a key aligner adapted to align the key at rest to a predetermined rest position (see col. 4, lines 53-67).

As to claim 5, Lefort teaches two hinged keys adjacent to each other (see fig. 1a, numbers 4a, 5a, col. 2, lines 50-67, col. 3, lines 1-5).

As to claim 6, Lefort teaches wherein the adjacent keys may form a continuous band of keys (see fig. 1a, numbers 4, 5, col. 2, lines 50-67, col. 3, lines 1-5).

As to claim 7, Lefort teaches wherein the two keys may form a continuous boundary for the display (see fig. 1a, numbers 4a, 8, col. 3, lines 5-25).

As to claims 8-9, Lefort teaches a group of hinged keys (see fig. 1a, numbers 4a, 8, col. 3, lines 5-25) aligned in a matrix in which the keys form a substantially continuous surface and wherein the mobile communication device is a cellular telephone (see col. 1, lines 18-31).

As to claim 11, Lefort teaches wherein the key region may extend over the window so as to provide a boundary for a display when the cover is attached to a mobile communication device (see fig. 1a, numbers 4a, 8, col. 3, lines 5-25).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ishii (US 5,678,206) teaches keypad cover hinge.

Brooks et al (US 3,693,775) teaches actuator for elastic diaphragm switch keyboard.

Whitney (US 6,320,963) teaches secrecy cover for keypad matrix.

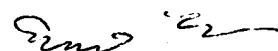
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Le whose telephone number is 571-272-7892. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nhan Le



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